IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 10TH DECEMBER 2007 / 19TH AGRAHAYANA 1929

WP(C).No. 34634 of 2007(W)

PETITIONERS:
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1. **S.ABDUL JALEEL, ATTENDER,**
   GOVERNMENT HOMOEO DISPENSARY, KULAKKADA,
   KOLLAM DIST.

2. **T.R.MANOHARAN, PHARMACIST,**
   GOVERNMENT HOMOEO DISPENSARY, MANJOOR,
   KOTTAYAM DIST.

3. **N.M.MUHAMMED KUNJU, PHARMACIST,**
   GOVERNMENT HOMOEO DISPENSARY,
   KALADY, ERNAKULAM DIST.

BY ADV. SRI.ELVIN PETER P.J.

RESPONDENTS:
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1. **STATE OF KERALA, REPRESENTED BY THE**
   SECRETARY TO GOVERNMENT, HEALTH AND FAMILY WELFARE
   DEPARTMENT, GOVERNMENT SECRETARIAT,
   THIRUVANANTHAPURAM.

2. **THE DIRECTOR OF HOMOEOPATHY,**
   DIRECTORATE OF HOMOEOPATHY,
   THIRUVANANTHAPURAM.

BY GOVT. PLEADER SRI. BEJOY CHANDRAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/12/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J.

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W.P.(C)NO.34634 OF 2007

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Dated this the 10th day of December 2007

JUDGMENT

Though there is a substantial challenge as regards Rule-7 of Ext.P2 special rules, insofar as it prescribes a certificate of successful completion of training in the course of Nurse-cum-Pharmacist training Course (Homoeopathy) as a test qualification for promotion to the post of Pharmacist in the Homoeopathy Department, it is revealed that there is a proposal for amendment of the special rules as evidenced by Ext.P6. Apparently the draft special rules have been communicated to the PSC for their concurrence. Under Ext.P6, there is a proposal to include three months in-service training in the Pharmacy in the hospital under the department also as a qualification for appointment by promotion. Once it is done the petitioners will also be qualified for being considered for promotion to the post of Pharmacist (Homoeopathy) Grade II. Ext.P6 draft rules was published in 2006 and it seems that it has already been communicated to the PSC.

2. The learned government pleader submits that some time will be taken for notification of the special rules as proposed to be amended by Ext.P6.

3. In the circumstances, after hearing both sides, the writ petition is disposed of directing the first respondent to take appropriate steps to see that a final decision is taken as regards the notification of the draft special rules as indicated in Ext.P6, at the earliest. If a decision is taken to revise the special rules as proposed in Ext.P6, the same shall be notified without further delay. At any rate, the entire process will be completed within a period of six months from the date of receipt of a copy of this judgment.

V.GIRI, JUDGE

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